

**106.01 SOURCE OF SUPPLY AND QUALITY REQUIREMENTS**

In approving the quality of material to be supplied, all material will be new, unless otherwise provided in the special provisions.

The Contractor may request the substitution of equal or better materials. Proof that the material is equal or better must be furnished to the Resident/Regional Engineer by the Contractor. No additional cost is allowed for substitution of materials.

**106.02 MATERIALS ORDER APPROVAL**

The Resident/Regional Engineer will document in writing all approvals of materials to be purchased as listed in Subsection 106.02 of the ITD Specifications. This includes the initial list of materials and any supplemental lists required. Prior to giving approval, the materials list must be reviewed to verify that quantities are acceptable to mitigate delays because of insufficient material and to prevent excess material on hand.

**106.03 SAMPLES, TESTS, CITED SPECIFICATIONS**

Residency personnel should be familiar with current test methods and Minimum Testing Requirements (MTR's), and they should be discussed at the preconstruction meeting. When a test method or MTR is revised during the course of a project, the latest version shall be used. Revised test methods or MTR's that significantly impact the contractor should be evaluated and may require a change order.

Materials acceptance is preferably accomplished before any materials are incorporated into ITD construction projects. All materials sampling, testing, and the receipt of required manufacturer's certification of construction materials shall be completed in a timely and accurate manner as the project progresses. Tests will be performed or obtained as defined by the ITD Quality Assurance Program in the ITD Field Test Manual. Independent Assurance testing is also a required part of the ITD Quality Assurance Program and will be performed as defined by the Independent Assurance Program in the ITD Field Test Manual. The Resident/Regional Engineer shall withhold payment to the Contractor for any material where the required contractor acceptance sampling, testing, and/or certification have not been accomplished.

The ITD Field Test Manual further states that a summarization of sampling, testing, and certifications will be assembled by the project Resident/Regional Engineer into a "Materials Summary Report." The Materials Summary Report, the Independent Assurance Log, and the Materials Certification letter signed by the District Engineer shall be submitted to the headquarters Materials Section for every construction project under ITD contract within sixty (60) days from the District Engineer's final acceptance of the project. Each District shall implement procedures to accomplish these requirements.

The headquarters Construction and Materials Sections monitor the Districts' progress on a quarterly basis and provide the Chief Engineer with reports regarding the following:

1. Payment for out of specification material.
2. Payment for material that was not sampled, tested, or certified as required by the specifications.
3. Failure to perform, or a lack of, Independent Assurance testing.

4. Failure to submit the Materials Summary Report and the Materials Certification letter to the headquarters Materials Section within sixty (60) days from the District Engineer's final acceptance of the project.

The headquarters Materials Section reviews each submitted Materials Summary Report and the Materials Certification letter for completeness and accuracy. The District is then notified if any additions or corrections are needed and the District will provide the needed information as soon as possible.

The headquarters Materials Section will forward the final Materials Summary Report and the Materials Certification letter to FHWA (when required), Financial Services, and the Construction Section within sixty (60) days after the original submittal of the report and letter by the District.

## 106.04 CERTIFICATION OF MATERIALS

Certain materials and fabricated items or small quantities of miscellaneous non-critical materials may be accepted based on certification by the manufacturer that the material furnished complies with specifications. The Minimum Testing Requirements (MTRs) Section 8.25 and Field Test Manual Part II, Section 8.12 and 8.13 indicate items that may be accepted by certification. Standard Specifications, Plans, and Special Provisions may also indicate certification requirements. Certification for materials other than those provided shall be approved by the Materials Engineer for acceptability.

### Buy America

For all federal-aid projects only, all steel materials and products that contain significant quantities of steel must be certified that the steel was manufactured in the United States of America. Such certification shall be provided prior to incorporation of these materials into the project. Materials that are only used or rented during the project construction, but not incorporated into the work, do not require certification.

Larger quantities of steel that will be incorporated into the project should be certified by the manufacturer; i.e., the mill that produced or rolled and fabricated structural steel shapes. Smaller quantities of steel where the product is incorporated into a manufactured item such as right of way markers may be certified by the fabricator of the finished product.

Buy American Certifications shall conform to the following type of wording:

The reinforcing steel materials incorporated into the reinforced concrete pipe culvert furnished to Idaho Federal-Aid Project (project number) by (Name of Supply Company) have been produced in the United States and all manufacturing processes for these materials including the application of coatings have occurred in the United States.

\_\_\_\_\_  
(Signature)

Name

\_\_\_\_\_  
Company Title

The certification must be signed by a person having quality control responsibility for the company that manufactures, fabricates, or supplies the material.

Small quantities of steel may be accepted without Buy American Certification, so long as its total value for the project does not exceed 0.1% of the contract amount or \$2,500, whichever is greater. The cost shall include the engineering and fabrication costs necessary to make the steel fit the finished product.

## 106.09 MATERIAL SOURCES

### Designated Sources

Authority to use the sources listed in the contract is based on one of the following forms of acquisition:

Source	Instrument
Department-Owned	Warranty Deed
Bureau of Land Management	Free-Use Permit
Forest Service & Atomic Energy Commission	Free-Use Permit
Bureau of Reclamation	License for Removing Road Building Materials
Bureau of Indian Affairs	Business Lease
State Land Board	Mineral Lease
Privately Owned	Materials Lease

The special provisions and materials source plat will contain stipulations affecting the use of the source and must be enforced as any other contract requirement. The Resident/Regional Engineer should be familiar with the original use or purchase agreement to assure compliance with all stipulations and conditions.

The materials source plat should be studied carefully to determine the boundaries of the source and designated areas. In all cases, the Resident/Regional Engineer should endeavor to control the operation of the source to prevent waste of material, unsightly or hazardous conditions, and unnecessary handling of stripping or overburden on future projects.

### Royalty Payments

The Standard Specification book, Subsection 106.09, states in part, "Material removed from designated sources shall be paid for by the Contractor at the rate specified. Payment shall be made to the named owner at the specified unit cost on the basis of the monthly estimate the first 15 days of the month following the one in which the material was removed."

This Subsection also applies to those sources for which the royalty is deducted from the estimate and paid by the State. Generally, this involves sources owned by the State Land Board, and their regulations provide for interest and penalties on the late payments.

To prevent such payments from being overlooked; the Resident Engineer, at the time of preparing the Contractor's voucher, shall prepare a second voucher to the source owner for payment of the royalty. In place of the owner's signature on the second voucher write, "per agreement with \_\_\_\_\_." This voucher will then be transmitted to the District Office for payment. **THIS APPLIES ONLY TO THOSE SOURCES FOR WHICH ITD IS PAYING THE ROYALTY DIRECTLY TO THE OWNER.**

**Contractor Furnished Sources**

The Contractor, with written approval, may provide material from other than designated material deposits. However, the request may be denied even though material of comparable quality has been proposed. Generally, no request will be approved that will result in an increase in cost to the State on the existing or subsequent contracts. Other areas of concern are aesthetics, ecology, adjacent land use, cultural resource protection, traffic safety, adequate reclamation provisions, local ordinances, or planning restrictions. Detrimental effects in these areas may result in denials or restrictive stipulations as a condition of approval.

Prior to the Contractor's disturbance of the ground surface of the proposed alternate materials source for investigation, stripping, or other purposes, a cultural resource clearance must be obtained. The department will make every reasonable effort to perform the cultural resource investigations of proposed sources expeditiously.

The Contractor must make known plans to use an alternate source as early as possible to avoid delays in operations and scheduling problems. Immediate response by the highway archaeologist may not be possible due to other demands or weather conditions, i.e., snow cover can delay investigation. The requirements for a cultural resource clearance should be discussed with the Contractor no later than the preconstruction meeting. Earlier contact with the Contractor may be appropriate, depending on the circumstance involved.

The Contractor's initial request for a change of source must be in writing and include a map of the proposed source with complete legal descriptions. Upon receipt of the request, the Resident/Regional Engineer shall transmit a copy of the Contractor's submittal to the highway archaeologist requesting an investigation of the source. The request for a cultural resource investigation should include a recommended time frame for completion of the investigation. Copies of the Resident/Regional Engineer's request should go to the Construction Engineer, Roadway Design Engineer, Materials Engineer, District Engineer, District Environmental Manager, and the District Materials Engineer.

If cultural resources are discovered by the cultural resource investigation, the cost of salvage will be assessed and the highway archaeologist will provide the District this information. Cost of salvaging a site or sites with a Contractor proposed source would be the obligation of the Contractor.

All materials sources require cultural resource clearance, regardless of whether commercial or noncommercial, if those sources:

- Are located on public land;
- May be purchased by the department;
- Require or are covered by a federal permit of any type; or
- May be used on a federal-aid project.

Prior cultural resource clearance of a materials source may still be applicable so long as the boundaries of the source have not been expanded since clearance. District Materials and

headquarters Materials sections should maintain in their pit files the cultural resource clearance status of all appropriate materials sources in each District. Commercial sources of concrete and plant mix aggregates listed in Part II - Quality Control of the Field Test Manual may indicate the clearance status of commonly used commercial sources.

Upon obtaining a cultural resource clearance of a proposed alternate source, the Contractor shall be informed in writing by the Resident/Regional Engineer that clearance has been obtained. The Contractor will also be informed to submit a source investigation record, a reclamation plan approved by the Idaho Department of Lands, and other pertinent information necessary to establish that material of comparable or better quality to the designated source is to be provided and that applicable state and local laws and ordinances will be met. Normally, the conditions of source use should be comparable to those established in the contract for the designated source regarding resloping, drainage, seeding, etc.

The Contractor must do the work necessary to investigate the source, allow samples to be taken, and provide information required for the reclamation of the source, including any surveys deemed necessary. Sampling and testing will be done by the Resident/Regional Engineer in accordance with the fee schedule in the contract. The Contractor may have the testing performed by an approved commercial laboratory. Sampling must be performed by department personnel and will be in accordance with Idaho T-27, Standard Method of Investigation of Aggregate and Borrow Deposits.

The acquisition of alternate sources is the Contractor's responsibility.

See the Materials manual, Section 16-200, Materials Source, for additional guidance.

Following is a summary of the normal length of time required to test samples from alternate sources after the material has been received in the laboratory. The times are for testing purposes only and do not include time allowances for cultural resource investigations or time required to obtain Land Department approval of reclamation plans or amendments to reclamation plans.

Borrow	
Granular Borrow	
Base Aggregate	
Filler for Aggregate Base	10 to 14 days
Cover Coat Material	
Special Backfill	
Coarse Aggregate for Concrete	
Plant Mix Aggregate	
Treated Base Materials	
Filler for Plant Mix Aggregate	30 to 40 days
or Treated Base Materials	
Road Mix Aggregates	
Fine Aggregate for Concrete	40 days

#### **District Approval of Alternate Material Sources**

The District Engineer may approve requests for alternate materials sources under certain conditions outlined below. All other requests must have the approval of the Assistant Chief Engineer (Operations).

The District Engineer may approve alternate sources with the verbal concurrence of the Materials Engineer if one of the following conditions is met:

1. The alternate sources have been tested and approved for use intended and are of comparable quality to the designated source, but were not designated for the specific project in question; or
2. The alternate sources are requested for Special Backfill, Granular Borrow, Topsoil, Blotter, or Sanding Material that are normally tested at the District level.

Prior to issuing approval, the District shall evaluate the following considerations:

- a) Materials from the alternate source shall be equal or better than from the designated source. Current test reports covering the material for its intended use should be on file.
- b) A pit number and lease description should be on file.
- c) A source map and investigation record may be appropriate and if so, should be on file.
- d) A reclamation plan, if necessary, must have approval of the State Land Board.

The approval letter should include:

- Appropriate identification of the alternate materials source.
- A list of the contract items that may be obtained from the alternate source.
- The Contractor's cost for additional testing by the State.
- The laboratory test numbers used to verify the acceptability of the alternate source.
- Any special requirements in the use of the source upon which the approval is contingent.
- A statement that the approval shall result in no additional cost to the State. Some considerations that are commonly neglected are utility adjustments, settlement pond construction, drainage, and access problems. Any costs associated with these considerations, including the cost of railroad company flagging, are to be the Contractor's responsibility.

### **Headquarters Approval of Alternate Material Source Requests**

When a material source cannot be approved by the District, a transmittal letter and the Contractor's request shall be sent to the Construction Engineer. Additionally, copies of the packet will be sent to the Assistant Chief Engineer (Operations), Resident/Regional Engineer, and District Files. The original Contractor request and original source plat will be sent to the Materials Engineer. The transmittal letter shall include the following information:

- District recommendations for or against the request along with reasons therefore.
- Pit number and lease description.
- Source map and investigation record.
- Proposed or approved reclamation plan.
- Contract items for which a change is requested.
- Contract number.
- Laboratory test numbers representing material from the alternate source.

- Recommended conditions of use of the alternate source if approved.
- Any changes in plans or specifications requiring a change order in addition to approval of alternate source.

The Materials Engineer will prepare the reply to the Contractor. The approval letter will be reviewed by the Construction Engineer prior to being sent to the Assistant Chief Engineer (Operations) for signature. The letter authorizing a change of source becomes a part of the contract; and no change order is required unless a change in plans or specifications is necessary because of the source change.

The District Engineer is responsible for the communications to the Contractor when denial of the source change request is necessary, regardless of the decision being made at the District or headquarters level.

### **Approval of Filler Sources**

The Standard Specifications, Subsection 703.01, states “blend sand may be approved for use to correct deficiencies in grading sizes providing the combination meets the specification requirements for the class of material being produced.” This approval will be handled the same as a Contractor Furnished Sources (see Section 106.09, page 2).

Approval of quality of the blend sand must be proven by laboratory testing for its intended use, whether in aggregate base materials, asphalt pavements, concrete fine aggregate, or any other materials. After testing for suitability for use, the Materials section will authorize the maximum permissible proportions.

Naturally-occurring blend sand will not normally be approved for use when the specifications require rejecting natural fines. Blend sand, which is produced from crushing of oversize material, may be approved by the Materials section if it meets quality requirements.

### **ITD-1121, Materials Source Release**

An ITD-1121, Materials Source Release, or a letter of release is required on all designated sources used on the project other than those owned by the Idaho Transportation Department, or for Bureau of Land Management sources secured by withdrawal, or for commercial sources, or sources secured by the contractor.

The Contractor is responsible for obtaining the source releases. The Resident/Regional Engineer will provide the necessary forms (see Exhibits 106.09-1 through 106.09-3).

### **ITD-900, Summary of Materials Used**

ITD-900, Summary of Materials Used, must be prepared at the completion of each contract involving removal of either aggregate or borrow from any source.

### **Furnish Materials, Labor, and Equipment to Other Political Divisions of Government**

The department has a policy for transactions with other political divisions of government.

When total costs are not known, such as contractual services, etc., written agreements supported by proper resolution should be entered into and the recipient of the service billed and payments made promptly to the Idaho Transportation Department in accordance with the agreement. (See Board and Administrative Policies B & A-19-02, Sales to Other Jurisdictions.)

Date \_\_\_\_\_

Contractor's Name & Address  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RE: Project No. \_\_\_\_\_  
Key No. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Contract No. \_\_\_\_\_

Dear Mr./Ms. Contractor:

Your request dated \_\_\_\_\_, to use Source \_\_\_\_\_, owned by \_\_\_\_\_, located at \_\_\_\_\_, as a contractor furnished source, has been approved for the following contract item(s):

ITEM NUMBER

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ITEM DESCRIPTION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The (approval)(or disapproval) to use this source is based on: Source \_\_\_\_\_ is on the District \_\_\_\_ Qualified Aggregate Materials Supplier List.

It is understood this source approval is granted upon the condition the material used from this source is within specification requirements of this contract.

You will assume full responsibility for any and all claims, liabilities and/or damages by reason of the removal of material from Source \_\_\_\_\_.

Any claim for additional payment will not be allowed, and it is further understood that should the source prove inadequate in quantity or unsuitable in quality, any expense involved to produce material as contracted for will be borne by your company.

Sincerely,

RESIDENT ENGINEER

cc: per District MTLS CONST



Date \_\_\_\_\_

Contractor's Name & Address  
\_\_\_\_\_  
\_\_\_\_\_RE: Project No. \_\_\_\_\_  
Key No. \_\_\_\_\_  
Contract No. \_\_\_\_\_

Dear Mr./Ms. Contractor:

Your request dated \_\_\_\_\_, to use Source \_\_\_\_\_, owned by \_\_\_\_\_, located at \_\_\_\_\_, as a contractor furnished source, has been (approved for the following contract item(s):) (or disapproved.)

ITEM NUMBERITEM DESCRIPTION\_\_\_\_\_  
\_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_

The (approval)(or disapproval) to use this source is based on:

1. Laboratory test numbers \_\_\_\_\_ indicating material meets quality specifications.
2. Reclamation plan number \_\_\_\_\_ approval dated \_\_\_\_.
3. Source plat \_\_\_\_\_, dated \_\_\_\_\_, described as \_\_\_\_\_.
4. Cultural resource clearance approval dated \_\_\_\_\_.
5. Environmental impact or permit approval dated \_\_\_\_\_.
6. Materials Source Release \_\_\_\_\_, dated \_\_\_\_\_.
7. Royalty rate of \_\_\_\_\_.

It is understood this source approval is granted upon the condition the material used from this source is within specification requirements of this contract.

You will assume full responsibility for any and all claims, liabilities and/or damages by reason of the removal of material from Source \_\_\_\_\_.

Any claim for additional payment will not be allowed, and it is further understood that should the source prove inadequate in quantity or unsuitable in quality, any expense involved to produce material as contracted for will be borne by your company.

Sincerely,

DISTRICT ENGINEER

cc: per District MTLS w/attach CONST

ITD-1121 2-99



## MATERIALS SOURCE RELEASE

Project Location Rock Creek to Schmuckmeyer Rd.Project No. ST-1234 (567)Key No. 1234 Highway No. SH-13County Blaine

I/we, Elmer Snodgrass & Bertha Snodgrass, the undersigned, owner(s) of Materials Source No. B1-81  
located in the NE $\frac{1}{4}$ , SW $\frac{1}{4}$  of Section 20, Township 3N, Range 6W B. M., further  
described as follows: 2.9 miles west of Midvill, left of SH-13, M.P.-28

and under lease agreement dated July 4, 1998 with Acme Paving, Inc., Contractor,  
for use under Contract No. 1234, hereby acknowledge receipt of payment in full for materials taken to  
date and also acknowledge that all provisions of said lease agreement have been fully complied with.

Dated:

February 29, 1999

Signature(s) of Property Owner(s):

Elmer Snodgrass  
Bertha Snodgrass

Remarks:

20,000 Tons @ \$0.63/Ton Royalty.

Total amount paid was twelve thousand and six hundred and no/100 dollars  
(\$12,600.00).

This form must be signed before the final claim will be paid.

Original to: Resident Engineer

Copy to: Property Owner(s)  
Contractor  
District Engineer  
Financial Services